

**WYCKOFF BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
JULY 19, 2007**

Regular Meeting: 8:30 p.m. – Court Room, Second Floor, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Rudy Boonstra, Chairman:

"The July 19, 2007 Regular Meeting of the Wyckoff Board of Adjustment is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our annual Schedule of Meetings. A copy of our Annual Schedule has been posted on the bulletin board of Memorial Town Hall; a copy has been filed with the Township Clerk, The Record, The Ridgewood News and the North Jersey Herald and News--all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting, the agenda thereof was similarly posted, filed and mailed to said newspapers."

Board Member Attendance: Chairman Rudy Boonstra, Richard Bonsignore, Jerry Lombardo, Kevin Rooney, and Jim Donkersloot. Absent: Warren Schaub, Doug Christie, Libby Ciampo and Ron Bavagnoli.

Staff Attendance: Harold P. Cook III, Board Attorney and Jacqueline Denequolo, Board of Adjustment Secretary.

The Board of Adjustment Meeting began with the Pledge of Allegiance.

OLD BUSINESS

Approval of the Minutes from the June 21, 2007, Work Session and Regular meeting all took place at the Work Session.

RECOMMENDATION FOR APPROVAL

- A. RESOLUTION #07-07** - Approval of vouchers from various developers' escrow accounts.

Approval of Resolution #07-07 had taken place during the Work Session.

RESOLUTIONS FOR MEMORIALIZATION

- B. BANDAIZIAN, RICK**, BLOCK 265, LOT 41 (RA-25), 66 Van Schaik Lane. Demolition of an existing home.
- C. SMITH, ANGELA & NATHAN**, BLOCK 315, LOT 3 (RA-25), 388 Frances Place. Variance requested for existing lot area, front and side yard setbacks and new variance request for lot coverage.

Chairman Boonstra noted on the record that the above referenced resolutions were approved at the Work Session.

Memorialized resolutions are available upon request in Room 110 at Memorial Town Hall.

CONTINUED APPLICATIONS

1. **DEPINTO, MATTHEW & JANICE**, BLOCK 250, LOT 45 (RA-25), 383 Oakwood Drive; Variances requested for two principal building side yard setbacks, principal building lot coverage, rear and side yard setbacks for an accessory structure and any existing non-conformities.

Matthew DePinto continued testimony under oath from the last meeting. Mr. DePinto stated that he had resubmitted revised plans for the garage.

John Giammarino, the applicant's architect, also continued testimony under oath from the last meeting. Mr. Giammarino stated that the garage was now reduced to 17' from the floor line. The exterior stairs had been removed with a pull down staircase proposed in its place. The dormer was also removed.

Chairman Boonstra stated that he had no objection with the revised plans.

OPEN TO THE PUBLIC

No comments from the public.

CLOSED TO THE PUBLIC

Chairman Boonstra summarized the variances for this application. The variances are as follows: lot size, lot frontage and side yard setback for an accessory structure along with any other existing non-conformities.

Jerry Lombardo made a motion to approve this application as amended. Mr. Lombardo also thanked the applicant and architect for amending the application and reducing the height as requested by the Board. Second by Kevin Rooney. Voting in favor: Chairman Boonstra, Bonsignore, Lombardo, Rooney, and Donkersloot.

Chairman Boonstra stated that the prepared resolution indicates the five specific criteria agreed upon at the last meeting. The criteria was required to be met in order to allow a restriction condition to the variance approval. The resolution will have the property deed attached with a condition disallowing the applicant or any future owner(s) to expand further in height on the detached garage.

Kevin Rooney made a motion to memorialize the resolution. Second by Jerry Lombardo. Voting in favor: Chairman Boonstra, Bonsignore, Lombardo, Rooney, and Donkersloot.

2. **CORNERSTONE CHRISTIAN CHURCH**, BLOCK 346, LOT 7 (RA-25), 495 Wyckoff Avenue. Variance requested for a new sign structure totaling approximately 100 sq. ft.

Chairman Boonstra stated that this application was postponed.

NEW APPLICATIONS

3. **CHAPIN, BYRON & ERIN**, BLOCK 473, LOT 1 (R15 – CORNER LOT), 350 Kingston Street. Variances requested for a front yard setback and existing lot size. An existing deck is proposed to be made larger along the side yard of the property.

Byron and Erin Chapin were both sworn in by the Board Attorney. Mr. Chapin stated that they were proposing to replace the existing deck which is currently 22'L X 10'W with a proposed size of 25'L X 15'W with the stairs being located in the back. The deck will not be any closer to the street and there aren't any neighbors that will be impacted by this proposal.

Chairman Boonstra questioned the proposed front yard setback of 8' indicated on the dimensions sheet. The new construction will not be within 8' of the property line. The figure needs to be changed on the dimensions sheet. The actual variance is where the new construction is proposed.

Mr. Chapin stated that he had thought that the front yard setback would be from the front stoop of the home which is 8' and not from the new construction.

Harold P. Cook, Board Attorney, stated that an exact dimension would be needed in order for the application to be approved.

Jerry Lombardo, Board Member, requested that the applicant add some landscaping plantings to screen the deck in order to soften the look from the street.

Kevin Rooney, Board Member, stated that lattice could be used to hide the lolly columns.

Mr. Chapin excused himself in order to recalculate the exact front yard setback dimension for the proposed deck.

Chairman Boonstra recalled Mr. Chapin back before the Board after a slight delay.

Mr. Chapin stated that he had recalculated the new construction front yard setback to be 16.32'.

Harold P. Cook, Board Attorney, stated that a variance approval is precise. The recalculated figure of 16.32' would need to be exact. If during construction, the figure is less than what was approved by the Board, another variance would need to be sought.

Mr. Rooney confirmed that adequate screening will be installed in order to hide seeing under the deck. Shrubs or lattice would suffice.

Mr. Chapin stated that he would install appropriate screening.

OPEN TO THE PUBLIC

No comments from the public.

CLOSED TO THE PUBLIC

Jerry Lombardo made a motion to approve the application as amended screening the deck with shrubs or lattice. Second by Richard Bonsignore. Voting in favor: Chairman Boonstra, Bonsignore, Lombardo, Rooney, and Donkersloot.

- 4. DIAZ, JOHN & DEBORAH**, BLOCK 465, LOT 1 (R15), 394 Butternut Avenue. Variances requested for a front yard setback, total accessory and total lot coverage, as well as, any existing non-conformities. A proposed front porch encroaches into the front yard setback.

John and Deborah Diaz were both sworn in by the Board Attorney. Mr. Diaz stated that a second floor will be added to the home along with a front porch which will encroach into the front yard. Variances for a front yard setback and total accessory and total lot coverage are being requested as well.

Kevin Rooney, stated that in order for the Board to approve an application, the landscape plan needs to include the quantity, size and location of the landscaping proposed. In addition, an irrigation and maintenance plan with one year prepaid are required as part of an application's approval.

Jim Donkersloot, Board Member, questioned the type of existing access in the back of the house since a rear elevation page was not included as part of the application.

Mr. Diaz stated that there is a first story entrance from the deck and an entrance into the garage from the basement level.

Jerry Lombardo, Board Member, confirmed the proposed height of the structure at 29' for the record.

Chairman Boonstra questioned what the existing shed is used for. The accessory structures are driving the lot coverage over the allowable 20%. If the contents of the shed can be put into the main structure and the shed removed, the total lot coverage can be reduced. Variances for a side yard accessory structure setback and total lot coverage would not be necessary.

Mr. Diaz stated that moving the items out of the shed is a possibility if necessary. The issue is that the diving board and ladders are stored there in the winter. Toys, etc., would be wet coming out of the pool, if they're stored in the main structure, and chemicals for the pool are under lock and key. The shed could be moved and replaced with a smaller shed if necessary.

Mr. Lombardo questioned what was behind the deck. Pictures could be taken looking off of the deck in order to see how close Mr. Diaz is to the neighbors behind the property. Landscape screening may be necessary.

Mr. Rooney stated that the landscape plan doesn't indicate where the trees are on the property. The trees need to be depicted on the landscape plan with assurance that they will be protected during construction.

OPEN TO THE PUBLIC

No comments from the public.

CLOSED TO THE PUBLIC

Chairman Boonstra stated that the applicants would need to come back to the Board in August. A more extensive landscape plan would need to be resubmitted along with a rear elevation page. The shed should be considered to be moved within the setback and reduced in size in order to reduce the accessory structure lot coverage.

- 5. PUGLISI, KENNETH & KELLY, BLOCK 250, LOT 29 (RA-25 – CORNER LOT), 367 Pinewood Drive.** Variance requested for a side yard setback and any existing non-conformities. This existing home is proposed to be knocked down and rebuilt.

Kenneth and Kelly Puglisi were both sworn in by Harold P. Cook, Board Attorney. Mr. Puglisi stated that he was proposing to remove the existing home with a new home.

Chairman Boonstra stated that the applicant was starting with a clean slate after complete demolition. Variances are being requested for lot size, frontage, depth, side yard setback and principal building coverage.

Mr. Puglisi wanted to state that a height variance was not being sought as mentioned at the Work Session. The actual height of the proposed structure is 33.81'. There was a typographical error on the plans.

Chairman Boonstra stated for the record that the home is served by an on-site underground septic system.

Mr. Puglisi stated that his engineer proposed to put the new septic system in the front of the house.

Jerry Lombardo, Board Member, questioned why the house wasn't put within the allowable building envelope.

Mr. Puglisi stated that the proposed house is only 3300 sq. ft. The existing house has a detached garage which will now be within the proposed home.

Chairman Boonstra stated that the entire house is within the building envelope. The terrace/patio doesn't count as part of the principal coverage if it is on grade. It shouldn't be included in the coverage percentage.

Kevin Rooney, Board Member, questioned what trees are to be planted. The Landscape Plan legend needs to indicate the type, size, location and number of trees, shrubs, etc. that are to be part of the landscape.

Mr. Puglisi stated that the Cedar tree is being removed due to the installation of the septic system. *(Please note: In 1990, NJDEP mandated new septic design rules to protect groundwater. These rules disallowed the previous widespread practice of seepage pits located under driveways and replaced it with the new requirement of septic field installation at a minimum size of 865 square feet or an area of 40' x 21' for a typical 4 bedroom residential dwelling. The impact of this NJDEP rule is that it requires the removal of all trees and shrubs within ten (10) feet of the excavation of the septic.)* The Oak in the back of the home is being removed because it's in the location of the proposed terrace. Three clustered Maple trees are being removed to alleviate a safety concern and root interruption that will cause the other two to die.

Mr. Rooney stated that the size of caliper of the trees being removed need to be indicated on the landscape plan as well. The irrigation plan submitted will not adequately cover the flower beds. The number of mist and rotary heads needs to be listed on the irrigation plan.

Richard Bonsignore, Board Member, stated that the plot plan shows 35.81' for the height of the structure. The discrepancy needs to be verified and correctly stated by the architect of record.

OPEN TO THE PUBLIC

No comments from the public.

CLOSED TO THE PUBLIC

Chairman Boonstra stated the applicant would need to come back before the Board in August. The terrace needs to be removed from the lot coverage and setback calculations which would bring the principal lot coverage percentage to approximately 15%. Per Mr. Rooney's recommendations, the landscape and irrigation plans need to be resubmitted accordingly along with a two year Maintenance Plan and verification of the correct building height.

The meeting was adjourned at 10:00 p.m.

Jacqueline Denequolo
Board of Adjustment Secretary